



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Katrina MIKHAYLICHENKO et al.

Application No. 10/816,487

Filed: March 31, 2004

For: PROXIMITY HEAD HEATING
METHOD AND APPARATUS

) Attorney Docket No. LAM2P451

) Art Unit: 1792

) Examiner: S. MacArthur

) Date: October 14, 2008

) Confirmation No. 1220

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on October 14, 2008.

Signed:


Diane Schwanbeck

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS AND INTERFERENCES**

Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Appeals from the decision of the Primary Examiner mailed June 12, 2008 finally rejecting claims 10-21.

The items checked below are appropriate:

Appeal Fee: ☐ \$270.00 (Small Entity) ☒ \$540.00 (Large Entity)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply:

10/20/2008 EFLORES 00000020 10816487
01 FC:1481 540.00 OP
02 FC:1251 130.00 OP

☒ Applicants petition for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-

(d)) for the total number of months checked below:

| <u>Months</u> | <u>Large Entity</u> | <u>Small Entity</u> |
|---|---------------------|---------------------|
| <input checked="" type="checkbox"/> one | \$130.00 | \$ 65.00 |
| <input type="checkbox"/> two | \$490.00 | \$245.00 |
| <input type="checkbox"/> three | \$1,110.00 | \$555.00 |

(Applicants note that the extended deadline of October 12, 2008 fell on a Sunday, and that Monday, October 13, 2008, was a federal holiday).

If an additional extension of time is required, please consider this a petition therefor.

☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

Total Fee Due

| | |
|----------------------|-----------------|
| Notice of Appeal Fee | \$540.00 |
| Extension Fee | \$130.00 |
| Total Fee Due | <u>\$670.00</u> |

☒ Enclosed is Check No. 20864 in the amount of \$670.00.

☒ The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-0805 (Order No. LAM2P451).

Respectfully submitted,
MARTINE PENILLA & GENCARELLA, LLP



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